

16-1174

**IN THE
UNITED STATES COURT OF APPEALS
FOR THE FEDERAL CIRCUIT**

PERSONAL WEB TECHNOLOGIES, LLC,
Appellant,

v.

APPLE, INC.,
Appellee.

16-1174

Appeals from the United States Patent and Trademark Office, Patent Trial and
Appeal Board in Inter Partes Review No. IPR2013-00596.

**UNOPPOSED MOTION OF APPELLANT PERSONALWEB
TECHNOLOGIES, LLC FOR EXTENSION
OF TIME TO FILE ITS OPENING BRIEF**

Appellant PersonalWeb Technologies, LLC respectfully moves for a 60-day extension of the due date for its opening briefs in this appeal. This is PersonalWeb's first request for an extension of time to file its opening briefing. The opening briefs are currently due on January 8, 2016, and the extension sought here would extend the due date up to and including March 8, 2016.

The requested 60-day extension is needed due to the press of a heavy caseload for PersonalWeb's counsel. Undersigned counsel has competing deadlines and obligations in other matters, including claim construction briefing in

PersonalWeb Technologies v. IBM, Case 6:12-cv-00659 (E.D. Tex), and *Optis Wireless Technology v. ZTE Corp.*, Case No. 2:15-cv-300 (E.D. Tex), and discovery deadlines in *UUSI LLC v. Samsung Electronics Co.*, Civil Action No. 1:15-cv-00146 (W.D. Mich.) In addition, undersigned counsel has a pre-paid vacation planned from December 28, 2015 to January 5, 2016. Accordingly, it has become apparent that PersonalWeb's opening briefs cannot be completed by their current due date of January 8, 2016, and that an extension is necessary to fully address the issues in this appeal. Under the circumstances, PersonalWeb submits that the 60-day extension it is seeking is both necessary and reasonable.

Appellee Apple, Inc. has stated that it does not oppose PersonalWeb's requested extension.

Date: December 7, 2015

Respectfully submitted,

/s/ Lawrence M. Hadley

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*Attorneys for Appellant PersonalWeb
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CERTIFICATE OF SERVICE

I hereby certify that the foregoing Unopposed Motion of Extension of Time to File the Appellant's Opening Brief was served on December 7, 2015 by operation of the Court's CM/ECF system per FED. R. APP. P. 25.

Date: December 7, 2015

/s/ Lawrence M. Hadley
Lawrence M. Hadley

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DECLARATION OF LAWRENCE M. HADLEY

1. I, Lawrence M. Hadley, hereby declare that I am a principal in the law firm of McKool Smith, P.C., and a member of the Bar of this Court. I represent Appellant PersonalWeb Technologies, LLC in this appeal.
2. All of the facts set out in PersonalWeb's motion are true and correct and are based on my personal knowledge.
3. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Date: December 7, 2015

/s/ *Lawrence M. Hadley*
Lawrence M. Hadley

**UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT
PERSONAL WEB TECHNOLOGIES, LLC v. APPLE, INC.**

No. 16-1174

CERTIFICATE OF INTEREST

Counsel for Appellant PersonalWeb Technologies, LLC in this appeal certifies the following:

1. The full name of every party or amicus represented by me is:

PersonalWeb Technologies, LLC

2. The name of the real party in interest (if the party named in the caption is not the real party in interest) represented by me is:

N/A

3. All parent corporations and any publicly held companies that own 10 percent or more of the stock of the party or amicus curiae represented by me are:

N/A

4. The names of all law firms and the partners or associates that appeared for the party or amicus now represented by me in the trial court or agency or are expected to appear in this court are:

McKOOL SMITH, P.C.: Lawrence M. Hadley; Phillip J. Lee

NIXON & VANDERHYE, P.C.: Joseph A. Rhoa; Updeep (Mickey) S. Gill

Date: December 7, 2015

Respectfully submitted,

/s/ Lawrence M. Hadley

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